

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

V.

TRACY LOMAX, aka AHAD  
ASSAN,

Defendant.

8:92CR12

# MEMORANDUM AND ORDER

After careful review,

IT IS ORDERED that:

1. The defendant § 2255 motion (filing no. [842](#)) under the *Johnson* case is denied because the defendant's sentence was not enhanced by any prior conviction under the residual clause of the Guidelines.
2. The Federal Public Defender's motion to withdraw (filing no. [849](#)) is granted.
3. Judgment will be entered by separate document.
4. A certificate of appealability is denied.

DATED this 12<sup>th</sup> day of August, 2016.

BY THE COURT:

*s/ Richard G. Kopf*  
Senior United States District Judge